

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
FAYETTEVILLE ARKANSAS

DAVID C. JULIEN

PLAINTIFF

v.

CASE No.: 06-5157

DEPUTY WILLIAM WAHSBOURN, in
his Individual and Official Capacity; JERAH
KERN, as personal representative for the estate
of Wesley Kern in his Individual and Official
Capacity; NURSE SUSAN JOHNSON, in her
Individual and Official Capacity; and DEPUTY
CUZICK in his Individual and Official Capacity

DEFENDANTS

ORDER

Before the Court is the Motion to Reconsider Denial of Motion to File Amended Complaint, and for Extension of Time to Amend the Complaint Further (Doc. 33). Plaintiff filed his Complaint pro se and *in forma pauperis* on August 23, 2007. Plaintiff sought to file an Amended Complaint to “improv[e] the readability of the complaint” and “substantive accuracy.” The Amended Complaint would also seek a jury trial. Plaintiff also sought leave to amend his complaint further, in an unspecified manner. This Court denied Plaintiff’s Motion to Amend his Complaint (Doc. 28).

Plaintiff now seeks reconsideration of the Court’s Order denying his Motion to Amend Complaint. However, Plaintiff provides no new argument as to why the Motion to Amend should be allowed. The only new information Plaintiff supplies is regarding a doctor’s appointment scheduled two days before the hearing in this case. The Court notes any conflict between the hearing and this appointment is puzzling, as this hearing has been scheduled since April 18, 2007 and Plaintiff has had counsel since January 19, 2007.

Accordingly, the Motion for Reconsideration (Doc. 33) is denied. This case remains set for an evidentiary hearing on June 28, 2007 at 9:00 am in Fayetteville, Arkansas.

IT IS SO ORDERED this 22nd day of June, 2007.

/s/ J. Marschewski

HON. JAMES R. MARSCHEWSKI
UNITED STATES MAGISTRATE JUDGE